

## BRECKLAND DISTRICT COUNCIL

**Report of:** Rob Walker - Executive Director and Monitoring Officer

**To:** Governance & Audit Committee – 30<sup>th</sup> September 2021

**Author:** Rory Ringer, Democratic Services Manager

**Subject:** Annual report on Standards Arrangements

**Purpose:** To update Members on the work undertaken on standards matters and complaints received against District, Town, and Parish Councillors from 1 April 2020 to 31 March 2021

### Recommendation(s):

- 1) That members note the contents of the report.

### 1.0 BACKGROUND

- 1.1 At the meeting of full Council on 5 July 2012, the arrangements for dealing with complaints against members were approved in line with the requirements of the Localism Act 2011.
- 1.2 As part of the arrangements, it was agreed that the role of monitoring Standards issues would be delegated to the Governance and Audit Committee.
- 1.3 This report updates members on the work undertaken on Standards complaints received from 1 April 2020 to 31 March 2021.
- 1.4 It should be noted that dealing with Code of Conduct complaints relating to Parish Councillors was suspended between March and July 2020 as staff were re-deployed as part of the Council's response to the Covid Pandemic.
- 1.4 The current arrangements for dealing with complaints against Members were approved at the meeting of full Council on 6 April 2017. These arrangements can be found on the Council's website at: <https://www.breckland.gov.uk/article/6697/Complaints-about-Councillors>
- 1.5 At full Council on 16 May 2019, Bob Davis was re-appointed as the Council's Independent Person until the Annual Council meeting in May 2023.

### 2.0 ANNUAL REPORTS ON STANDARDS 2020/21

- 2.1 Details of the number of complaints that have been received, and the relevant outcomes are as follows.

	<b>Number of complaints</b> (1 April 2019 – 31 March 2020)	<b>Number of complaints</b> (1 April 2020 – 31 March 2021)

<b>Stage 1 (Initial consideration of a complaint)</b>		
Complaints received	28	18
Complaint does not relate to a breach of the code	8	3
Resolved under informal resolution and matter closed	0	0
Referred to Police	0	0
Case file still open as of 1 September 2021	13 (11 relate to one particular parish)	3
% of complaints completed within 3 months	86%	66%
<b>Stage 2 (Formal consideration of a complaint)</b>		
Considered by Monitoring Officer to not merit further consideration	6	11
Referred to Standards Panel as deemed inappropriate for Monitoring Officer to consider	0	0
Resolved through informal resolution	0	0
<b>Stage 3 (Investigation)</b>		
Referred for investigation	1	1
No failure to comply found by the Monitoring Officer following investigation.	1	1
Hearing Panel held and found failure to comply	0	0
Hearing Panel held and found no failure to comply	0	0
Resolved through informal resolution	0	0
Of the above cases where sanctions recommended and accepted by District/Town/Parish council	0	0

### 3.0 **OPTIONS**

3.1 None, the report is for information

### 4.0 **REASONS FOR RECOMMENDATION(S)**

4.1 None, the report is for information

### 5.0 **EXPECTED BENEFITS**

5.1 The agreed arrangements for dealing with complaints received against elected members within the Breckland area requires the Monitoring Officer to provide an annual report to the Governance & Audit Committee.

5.2 This enables the committee to monitor the number of complaints received and whether the arrangements are fit for purpose.

5.3 Bringing the report to members ensures compliance with the Standards arrangements of Breckland Council in line with the requirements of the Localism Act 2011.

### 6.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

#### 6.1 **Constitution & Legal**

6.1.1 The principal statutory provisions relating to standards of conduct for Members are contained in the Localism Act 2011. Section 27(1) of the 2011 Act provides that the Council must promote and maintain high standards of conduct by Members and Co-opted members of the authority.

6.1.2 Section 27 and 28 of the Localism Act require the Council to adopt a Code of Conduct consistent with the Nolan principles of good governance

6.1.2 The Terms of Reference for the Governance & Audit Committee can be found in the Council's Constitution and they outline the Committee's duties to monitor standards arrangements and receive updates.

#### 6.2 **Equality/Diversity**

6.2.1 There are no direct equality implications of this report but the LGA aims to ensure that a diverse range of people are undertake the public role of councillor to be representative of society as a whole. Having an effective Code of Conduct should encourage people to enter into public life.

### 7.0 **WARDS/COMMUNITIES AFFECTED**

7.1 All wards are potentially affected by the contents of this report.

8.0 **ACRONYMS**

8.1 None.

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Background papers:- None

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:** None